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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,103	07/25/2001	Julian J. Kennedy	KEN3/WAB	1365

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EXAMINER	
ENATSKY, AARON L	
ART UNIT	**PAPER NUMBER**
3713	19

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/787,103	KENNEDY ET AL.	
	Examiner	Art Unit	
	Aaron L Enatsky	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *85-111* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *85-111* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

Examiner acknowledges receipt of amendment on 10/02/03. Claims 1-84 are cancelled and claims 85-111 remain pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 85-86, 89-93 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,762,552 to Vuong et al. (Vuong).

Claim 85: Vuong teaches a multiplayer electronic gaming system (Abstract and Fig. 1) with a game computer (game server, 4:13), player stations (game machines, 4:7-9), and a control computer in operative communication with the game computer (network manager, 4:16-18). Vuong also teaches that the machine game server executes the video game (4:14-15) and that the control computer handles wager and other monetary game details (3:4-8).

Claim 86: Vuong teaches that players can make selections of desired games on a game menu (2:51-53) where it is inherent that there is some form of input buttons for a player to make such selections.

Claims 89-90: Vuong teaches that players can deposit currency or make electronic currency inputs to start a game (2:48-50) and if a win or loss is detected currency or electronic credits would be outputted to a player (3:50-56).

Claims 91-92: Vuong teaches that the multiplayer game can be a card game as well as a variety of common casino games (2:51-53).

Claim 93: Vuong teaches that remote computers in operative communication with game computers (Fig. 1).

Claims 96-98 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,823,879 to Goldberg et al. ("Goldberg").

Claim 96: Goldberg teaches an automated multiplayer card game system (Abstract) where the games can be played in a multiplayer method or in a single player method (5:25-67). Goldberg teaches the system using individual game stations (Fig. 1, #18), a game computer (Fig. 1, #14), and a control computer (Fig. 1, #28). The control computer receives and maintains various game and player attributes (7:65-8:27), which would be the required activity and game metering data.

Claim 97: Goldberg shows that the game computer enables communication between player stations and said control computer (Fig. 1).

Claim 98: Goldberg shows that metering information received by the control computer can be player financial data (8:5-8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 87 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong as applied to claims 85-86, 89-93 above, and further in view of US Patent No. 5,586,936 to Bennett et al. ("Bennett"). Vuong teaches the limitations as discussed above in addition to a card reader at a player station used for player identification (2:43-51), but does not teach an output device of lamps. Bennett teaches a multiplayer network game system with multiple types of player output devices (Abstract and Fig. 2). One of the player output devices is a 2 color LED lamp (5:28-34) that is used for additional player station status information to indicate usage and proper card insertion (7:43-52). One would be motivated to modify Vuong to use the additional player lamps as output so that a player can have positive notification that a player-tracking card has been correctly inserted. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vuong to use the lamps as taught by Bennett so that a player will have easily identifiable information concerning player station and player card usage.

Claim 88 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong as applied to claims 85-86, 89-93 above, and further in view of US Patent No. 6,048,269 to Burns et al. ("Burns"). Vuong teaches the limitations as discussed above, but does not teach the use of ticket printers as an output device. Burns teaches a ticket printing system for network gaming machines as an alternative to standard coin or card based redemption system (Abstract and 2:48-56). One would be motivated to use the ticket redemption system as Burns teaches that coins, credit, and debit systems currently used are susceptible to certain abuses that are not generally acceptable to the casino industry (1:21-38 and 2:1-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vuong to use the ticket

printing system taught by Burns so that certain abuses of the traditional gaming redemption system are reduced.

Claim 94 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong as applied to claims 85-86, 89-93 above, and further in view of US Patent No. 5,078,405 to Jones et al. ("Jones"). Vuong teaches the limitations as discussed above, but does not teach using a progressive jackpot in a multiplayer card game. Jones teaches a multiplayer casino game that allows players to wager to win jackpot amounts (Abstract). The jackpots are progressive in that uncollected amounts carry over to the next game (Abstract). One would be motivated to use the multiplayer progressive jackpot as taught by Jones as it is well known in the art that additional methods of winning and large win amounts increase player entertainment and motivation to participate in games, thus increasing operator revenues. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vuong to use the progressive jackpot as taught by Jones to increase motivations for players to participate in the games, which will increase operator revenues.

Claim 99 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg. Goldberg teaches the limitations as discussed above, but does not teach information sent to the control computer consisting of an address to identify each player station. Goldberg however teaches that a plurality of other information is sent to the control computer for game tracking purposes (8:1-29). Because the data pertinent to the game operation would be a matter of choice for a system operator, it would be considered an art analogous process to track and store any type of data that a system operator designated necessary to operate the game. In the case of a player station address, while Goldberg already has stored unique player identifier, Goldberg might also

want to track where a player is located. This particular piece of data is already available according to standard network configurations for communication purposes. Thus, the issue is whether a system operator would want to track and store the player station address. As explained above, Goldberg already has the ability to track player and game related data where it would be considered well within the capabilities of one of ordinary skill to track and store additional data. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg to track and store a variety of data including player station addresses to obtain a desired data by a system operator.

Claim 100 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg as applied to claims 96-99 above, and further in view of US Patent No. 5,497,479 to Hornbuckle. Goldberg teaches the limitations as discussed above, but does not address the limitations of a control computer sending disabling signals to a remote terminal in response to certain events. Hornbuckle teaches a central computer that has the ability to control remote terminals, including sending a disabling signal to a connected remote terminal in response to certain events (2:19-25). One would be motivated to modify Goldberg and use the remote disabling signals as taught by Hornbuckle to prevent further monetary loss by a system operator (Hornbuckle 2:19-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg to use the remote monitoring and disabling system to provide an operator with greater system control.

Claims 101-102, 106-108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg as applied to claims 96-99 above, and further in view of US Patent No. 5,819,901 to Filiberti.

Claims 101: Goldberg teaches the limitations as discussed above, but does not teach recording an event such as the opening and closing of a door on a game machine. Filiberti teaches a game machine security device that tracks a number of security related issues in game machines so that theft or other irregularities can be easily and timely detected (Abstract). One of the security issues tracked is the event of a door opening or closing of a game machine (2:46-47). One would be motivated to modify Goldberg to use the door state event to detect possible theft incidents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg to use the security states taught by Filiberti to increase game system security.

Claim 102: Goldberg teaches that input devices are buttons (10:11-15).

Claims 106-107: Goldberg teaches that the game system can be a multiplayer game (6:30-31) and can be used with different card games (5:48-49).

Claim 108: Goldberg teaches that the game can be played over the Internet, which would require a remote computer (4:43-47).

Claim 103 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Filiberti as applied to claims 101-102 above, and further in view of US Patent No. 5,586,936 to Bennett et al. ("Bennett"). Goldberg in view of Filiberti teaches the limitations as discussed above in addition to a card reader at a player station used for player identification (Goldberg 14:25-28), but does not teach an output device of lamps. Bennett teaches a multiplayer network game system with multiple types of player output devices (Abstract and Fig. 2). One of the player output devices is a 2 color LED lamp (5:28-34) that is used for additional player station status information to indicate usage and proper card insertion (7:43-52). One would be

motivated to modify Goldberg in view of Filiberti to use the additional player lamps as output so that a player can have positive notification that a player-tracking card has been correctly inserted. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg in view of Filiberti to use the lamps as taught by Bennett so that a player will have easily identifiable information concerning player station and player card usage.

Claims 104-105 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Filiberti as applied to claims 101-102 above, and further in view of US Patent No. 6,048,269 to Burns et al. ("Burns"). Goldberg in view of Filiberti teaches the limitations as discussed above, but does not teach the use of ticket printers as an output device. Burns teaches a ticket printing system for network gaming machines as an alternative to standard coin or card based redemption system (Abstract and 2:48-56). One would be motivated to use the ticket redemption system as Burns teaches that coins, credit, and debit systems currently used are susceptible to certain abuses that are not generally acceptable to the casino industry (1:21-38 and 2:1-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg in view of Filiberti to use the ticket printing system taught by Burns so that certain abuses of the traditional gaming redemption system are reduced.

Claim 110-111 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Filiberti as applied to claims 101-102, 106-108 above, and further in view of US Patent No. 4,572,509 to Sitrick. Goldberg in view of Filiberti teaches the limitations as discussed above, but does not teach the network configurations using a daisy chain or star configuration. Sitrick provides a discussion of well-known game device network configurations including star and daisy chain configurations (Fig. 8 # 5200 and 9:23-10:20) to minimize data loss during

communications. Sitrick also references Computer Networks and Their Protocols, Davies et al., and Computer Networks: Tutorial, Abrahms et al. for standard network configurations at the time of his invention. Thus, one of ordinary skill in the art at the time of the invention would look to standard protocols and networking arrangements to minimize the loss of data network communications. As Goldberg in view of Filiberti utilize standard network configurations such as the Internet, the use of the star and daisy chain configurations or other conventional configurations would a matter of implementation. Furthermore, as the star and daisy chain configuration in the instant invention are known and conventional networking arrangements, the use of such arrangements would not serve to distinguish patentability.

Claim 109 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Filiberti as applied to claims 101-102, 106-108 above, and further in view of US Patent No. 5,078,405 to Jones et al. ("Jones"). Goldberg in view of Filiberti teaches the limitations as discussed above, but does not teach using a progressive jackpot in a multiplayer card game. Jones teaches a multiplayer casino game that allows players to wager to win jackpot amounts (Abstract). The jackpots are progressive in that uncollected amounts carry over to the next game (Abstract). One would be motivated to use the multiplayer progressive jackpot as taught by Jones as it is well known in the art that additional methods of winning and large win amounts increase player entertainment and motivation to participate in games, thus increasing operator revenues. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldberg in view of Filiberti to use the progressive jackpot as taught by Jones to increase motivations for players to participate in the games, which will increase operator revenues.

Response to Arguments

Claims 1-84 have been cancelled and new claims 85-111 have been added. Claims 85-111 have been rejected as detailed in the above Office Action.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Pat. No. 4,805,907 to Hagiwara teaches a distributed wagering game system.

US Pat. No. 6,068,101 to Dickenson et al. teaches a security mechanism that records door opening events in a game machine.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron L Enatsky whose telephone number is 703-305-3525. The examiner can normally be reached on 8-6 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on 703-308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Aaron Enatsky
1/8/04

Teresa Walberg
Supervisory Patent Examiner
Group 3700